

**APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADA**

NEW PRIORITY DATE:

Date of filing in State Engineer's Office ~~-NOV-08-2004-~~ APR 11 2007

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAR 11 1996 under 61949

The applicant **Russell W. Berg, SR** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underground (Jakes Well)**
2. The amount of water applied for is **0.02** second feet.
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Stock Water**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kind of animals to be watered **475 Cattle, 5 antelope**
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **SW¼ SE¼, SEC 24 T11N, R43E, MDM at a point from which the south ¼ corner of SEC 24, T11N R43E, Bears S 41°14'00"W a distance of 1,640 feet**
6. Place of Use **SW¼, SE¼ SEC 24, T11N, R43E MDM, on range improvements installed leased and maintained by applicant as pre agreement with BLM under project number 0354, and 4822**
7. Use will begin about **Jan. 1** and end about **Dec. 31** of each year.
8. Description of proposed works **Existing drilled well with windmill/pump jack operation system and direct supply to watering troughs at the well site**
9. Estimated cost of works **5,000.00**
10. Estimated time required to construct works **Completed – windmill, pump, jack, watering troughs, corrals and fencing**
11. Estimated time required to complete the application of water to beneficial use **currently in use**
12. Remarks: **Applicant has the exclusive right to construct and maintain the well and corrals, etc.**

71858

as per agreement with the BLM under Project # 0354 and 4822 (see attached)

By s/Russell W Berg Sr.
HC 60 Box 56902
Round Mountain, NV 89045

Compared sc/gkl dl/gkl
Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.015 cubic feet per second, or sufficient to water 475 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before:

July 21, 2006

Proof of completion of work shall be filed on or before:

August 21, 2006

Water must be placed to beneficial use on or before:

July 21, 2007

Proof of the application of water to beneficial use shall be filed on or before:

August 21, 2007

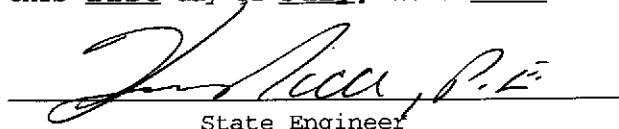
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 21st day of July, A.D. 2005


State Engineer


Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____ N/A _____

Certificate No. _____ Issued _____

~~CANCELLED DEC 15 2006 BECAUSE OF
FAILURE OF APPLICANT TO COMPLY WITH THE
PROVISIONS OF PERMIT~~

~~ STATE ENGINEER
Can. Rescinded 6-13-2007~~